

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

-against-

JOSEPH EUGENE LEMAY,

Defendant.

1:21-cr-573-MKV

**SCHEDULING ORDER**

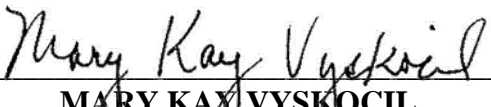
MARY KAY VYSKOCIL, United States District Judge:

Familiarity with the lengthy facts and procedural history of this action are presumed for purposes of this Order. In brief, the Court held a conference to discuss Defendant Lemay's Rule 33 motion based on allegations of ineffective assistance of counsel, [ECF No. 234], and subsequently set a briefing schedule for the anticipated motion. [ECF No. 231]. Since that Order, the parties have submitted their briefs and supporting materials. [ECF Nos. 239, 242–244, 250, 251]. After careful review of the motion, briefing, and supporting materials, the Court has determined to hold an evidentiary hearing to further develop the record. Accordingly,

IT IS HEREBY ORDERED that the evidentiary hearing will take place on **June 9, 2025 at 10:00 a.m.** IT IS FURTHER ORDERED that by **May 23, 2024**, the parties must: (a) advise the opposing party and the Court of any witness who has submitted a declaration or affidavit in support of or in opposition to the motion who the opposing party wishes to cross examine so that the witness is on notice of the need to appear at the hearing, and (b) provide the Court with a binder containing hard copies of their witness list, exhibit list, and a hard copy of any exhibits.

**SO ORDERED.**

**Date: May 2, 2025**  
**New York, NY**

  
**MARY KAY VYSKOCIL**  
**United States District Judge**